

Cal/EPA's Green Chemistry Initiative
Key Element Analysis
"Strengthening California's Consumer Protection Laws"
Public Workshop
May 8, 2008

The following represents the input received at the second public workshop held in El Segundo, CA. As a result of input received at the first public workshop, the format of the second workshop was altered to reflect three questions.

Questions posed to the group:

1. How big should the universe be?
 2. What attributes would make the current system more effective?
 3. If a new model were to be created, what should be the focus?
- Focus only on COC in terms of Green Chemistry
 - Should prioritize chemicals and focus on their hazardous traits
 - Shouldn't forget about the physical hazards though
 - Considering both chemical hazards and physical hazards may be too big of a universe to look at
 - If the universe is too big, how will you be able to enforce it?
 - Focus just on chemistry and COC
 - The State should be more involved regarding recalls with consumer products
 - No one present at the workshop became aware of the existing consumer protection laws through the governments education and outreach efforts
 - With limited resources, is there an opportunity for government and NGO's to work together and partner up and even a way for government and industry to partner up and work together.
 - Independently of what the government/NGO's are doing industry is beginning to jump on the Green Chemistry band wagon.
 - It is important not to duplicate efforts. We can work together and still acknowledge each others own interests.
 - Create a win/win partnership
 - We have only done forced partnerships with industry.
 - Approach trade associations for education and outreach.
 - Objectives to get industry involved – better bottom line and PR opportunities
 - Disagreement between labs is a problem. Different methods are being used for testing. We need a lab accreditation program in place.
 - Involve companies that may have money and want to be leaders.
 - What about all the small Mom & Pop providers and manufacturers – we need to reach out them somehow too.

- The past has shown that partnerships have not worked by themselves – we need regulatory standards with teeth too.
- Look to OEHHA for chemical testing methods.
- Europe is moving on this – we need to get up to speed.
- Chemical producer should be proving that the product is safe rather than us having to prove that the product is unsafe.
- TSCA: over 80,000 chemicals, only 1/3 of them are tested for hazardous traits, it is a broken process
- We need a process to ban bad chemicals that we are already aware of.
- What type of enforcement tools is necessary? Search and inspection, certification of compliance by manufacturer/lab that is signed under penalty of perjury.
- Large retailers can put pressure on the manufacturer (i.e. Walmart and Rubbermaid).
- Campaigns looking at shareholder agreements
- Campaigns looking at chemical policy reform – create public awareness of baby bottles, toxic in products, etc.
- Use indirect pressures as another tactic – we still need a comprehensive chemical reform policy.
- What role should the retailer have? Retailers don't usually know what is in their products.
- Make contracts between the retailer and their distributor/producer contain the laws (producers should provide the information).
 - What levels of COC cause dangers?
 - Can I sell the product in my store?
 - Is it compliant?
- Require a Certificate of Compliance – fix the problem at the manufacturer level.
- What happens to recalled products? What are the safeguards?
- There needs to be more clarity about what chemicals are in the products, is their information regarding hazardous traits of those chemicals – if not we need to start there.
- Product stewardship model
- Need to set a standard for green – what does green mean?
- We can get the big companies on board, but how are we going to get the small guys on board?
- What about people who use recycled products in their products? What if the recycled products were bad? You could assure that the recycled product wasn't bad by looking and testing it, but that price would only get passed down to the consumer.
- Is testing the only answer to really assure compliance?
 - Push for product stewardship
 - Need enforcement too
 - Green certification – what are the standards?
- Do we need a comprehensive policy to handle this?

- What about looking at Japan's current system?
- If we are going to have any impact we are going to have to show that our actions are actually improving the quality of the environment and the quality of life. The standards in place have to bring about results.
- Education and outreach
 - Partner with groups that can reach to the communities that need to get the information.
- The new regulatory framework/model should be flexible to include new products and new COC.
- Determining the hazardous traits of chemicals needs to happen first.
- Consolidate particular concerns regarding consumer products and coordinate better with others. Have a czar type person overlooking the different agencies involved.
- Can the feds do more? CPSC does not give the state authority over federal laws. The feds can give grants.